



# State of Utah

DEPARTMENT OF COMMERCE  
Committee of Consumer Services

Minutes of the Meeting of the Committee of Consumer Services Held  
in Room 4A of the Heber M Wells Building, Salt Lake City, on 14 April 2004.

Dee Jay Hammon called the meeting to order at 9:38am in Room 205.

Members of the Committee in Attendance:

Franz Amussen	Ryan Atkinson	Kent Bateman
Dee Jay Hammon	Betsy Wolf	

Staff in Attendance:

Roger Ball	Kelly Francone	Dan Gimble
Nancy Kelly	Leah Lindstrom	Cheryl Murray
Eric Orton	Paul Proctor	Oliwia Smith
Reed Warnick		

Members of the Public in Attendance:

Dave Anderton	Klare Bachman	Claire Geddes
Scott Gutting	Chris Keyser	Barry McKay
Doug Stipes	Kathy Van Dame	

## 1 Administrative Matters

### 1.1 Welcome and Apologies for Absence

Dee Jay Hammon extended the apology of Kelly Casaday, who was attending another meeting. Dee Jay welcomed Paul Proctor as an additional Assistant Attorney General for the Committee.

### 1.2 Minutes of Previous Meetings

Ryan Atkinson proposed that the minutes of the 9 March 2004 meeting be approved. Franz Amussen seconded the proposal, which passed unanimously.

Kent Bateman proposed that the minutes of the 25 March 2004 meeting be approved. Franz

Amussen seconded the proposal, which passed unanimously.

### 1.3 Dates and Locations of Next Meetings

The Committee agreed that its next meeting would be held on Tuesday, 1 June, commencing at 9:30am until 2:30pm, in Room 4A of the Heber M Wells Building. The following meeting is scheduled for Tuesday, 13 July, at the same time and in the same location.

## 2 Utah Association of Energy Users

Scott Gutting, President of Energy Strategies and Executive Director of UAE, and Doug Stipes, incoming Board Chair of UAE, gave the Committee an overview of the Association's objectives.

## 3 Committee Members' Individual Responsibilities

Claire Geddes expressed her concerns about Committee members choosing to identify themselves as such when speaking publicly in other capacities.

## 4 Electric

### 4.1 26 December 2003 Outages

Cheryl Murray said that PacifiCorp planned to present its final Report and Corrective Action Plan to the Commission on 12 May 2004.

### 4.2 Open Bidding and the Currant Creek Power Project

Cheryl gave a brief background on the two issues that led up to the Currant Creek Power Project: PacifiCorp's IRP; and the Open Bidding stipulation.

### 4.3 Sales of Power in Excess of 1MW by Qualifying Facilities to PacifiCorp

Kelly Francone described the progress that had been made in developing procedures for PacifiCorp to buy power from QFs with a design capacity greater than 1MW under the Utility's Tariff Schedule 38.

### 4.4 Sales of Up to 1MW of Power by Qualifying Facilities to PacifiCorp

Kelly explained that Schedule 37 defines the avoided cost rates approved by the PSC that the Company may pay for purchases of electricity from QFs located in Utah that are capable of generating no more than 1MW of power.

### 4.5 Regional Transmission Organization (West)

Nancy Kelly reviewed the history of RTO West, which it was now proposed to name Grid West.

## 5 Telecom

### 5.1 Pricing Flexibility

Oliwia Smith said that the Commission, in a 25 March Order, had reopened the Residential Docket, No 03-049-49.

#### 5.1.1 Consideration of a Contract Amendment

Kent Bateman proposed that:

the Committee of Consumer Services allocate an additional \$17,360 – for a total of \$54,878 – to the Pricing Flexibility contract with William Dunkel & Associates, and extend the termination date to 30 June 2005.

Betsy Wolf seconded the proposal, which passed unanimously.

### 5.2 Land Development Agreement Tariff

Oliwia explained the debate over the Tariff, which gives developers two options for the placement of telecommunications distribution facilities in their new sub-divisions.

## 6 Gas

### 6.1 Questar Gas Company's IRP and RFP

Eric Orton outlined the IRP and RFP processes which Questar Gas uses to guide its gas supply purchases for each 12-month (May to April) period.

### 6.2 Gas Prices

Eric explained that, even with large fluctuations in the market price of gas, the Rocky Mountain area has enjoyed relatively moderate swings compared to the rest of the nation.

### 6.3 Weatherization

Kelly Francone said that a total of 642 homes had been weatherized during 2003, 300 of which had been made possible by unexpected funds from Temporary Assistance to Needy Families (TANF).

### 6.4 Gas Interchangeability

Eric explained that growing interest in the importation of Liquefied Natural Gas was giving rise to intense nationwide attention to the issue of Gas Interchangeability.

### 6.5 1999 Test Year Rate Case – The CO<sub>2</sub> Issue – Marshalling of Evidence

Reed Warnick explained that Marshalling of Evidence was a legal term, meaning that the Commission was going to look again at the evidence in the existing record. Parties were preparing for two rounds of briefings, followed by a hearing on 27 May 2004.

## 7 Closed Meeting – To Discuss Pending or Reasonably Imminent Litigation

Ryan Atkinson proposed that the Committee go into closed session to discuss pending or reasonably imminent litigation. Franz Amussen seconded the proposal, and it passed unanimously.

Ryan Atkinson proposed that the Committee return to open session. Franz Amussen seconded the proposal, and it passed unanimously.

## 8 Motions on Matters Discussed in Closed Meeting

The Committee took no action on matters discussed in the closed meeting

## 9 The Committee: It's Function and its Future

### 9.1 Terms of Office Ending in 2004

Roger Ball explained that the terms of office of three members of the Committee – Dee Jay Hammon, Kelly Casaday and Betsy Wolf – would expire on 1 July 2004. All three were willing to serve a further four-year term.

Kent Bateman proposed that:

the Committee recommend to Governor Walker that those members of the Committee whose terms expire on 1 July be re-appointed, since it would be a loss to the community if they were not.

Franz Amussen seconded the proposal, which passed unanimously.

### 9.2 Relationships with the Governor and Legislators

Dee Jay Hammon made some recommendations on ways to develop positive relationships with the Governor and Legislators.

### 9.3 Office Space

Klare Bachman, Executive Director of the Department of Commerce, described plans to accommodate all the Committee's staff in one location and give them more space than they presently had.

## 10 Other Business

There being no other business, Kent Bateman proposed that the Committee adjourn, and the meeting ended at 2:37pm.